

STATE OF WISCONSIN
Senate Journal
Eighty-Sixth Regular Session

FRIDAY, April 6, 1984
10:00 A.M.

The senate met.

The senate was called to order by Fred A Risser, president of the senate.

The roll was called and the following senators answered to their names:

Senators Adelman, Chilsen, Cullen, Czarneski, Davis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 31.

Absent -- Senator Ellis -- 1.

Absent with leave -- None.

The senate stood for a moment of silent prayer.

The senate remained standing and the president of the senate led the senate in the pledge of allegiance to the flag of the United States of America.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 719

Relating to authorization for the granting of salary increases to members of the faculty and academic staff of the university of Wisconsin system, expenditure of program and segregated revenues by the university of Wisconsin system and making appropriations.

By Senators Engeleiter, Van Sistine, Hanaway, Lasee and Helbach; cosponsored by Representatives Rude, Nelsen, Huelsman, Goetsch and Buettner.

To committee on Higher Education and Economic Development.

COMMITTEE REPORTS

Report of
Committee of Conference
on
Assembly Bill 571

To the Honorable the Senate:

The members of the Committee of Conference on **Assembly Bill 571** report and recommend, That, by the adoption of this report:

1. Both houses recede from their respective positions on senate amendments 2 and 3 to the engrossed bill.

2. The Senate and the Assembly, respectively, adopt and concur in Conference Amendment 1 (LRBa5912/1) which is attached to and made a part of this report.

Sen. Adelman	Rep. Smith
Sen. Feingold	Rep. Tesmer
Sen. Johnston	Rep. Nelsen

The committee on Energy and Environmental Resources reports and recommends:

Assembly Bill 1107

Relating to revising penalties for illegally taking or possessing lake sturgeon.

Concurrence:

Ayes, 5 -- Senators Strohl, Adelman, Lee, Helbach and Ellis;

Noes, 1 -- Senator Opitz.

JOE STROHL
Chair

The committee on Higher Education and Economic Development reports and recommends:

Assembly Bill 1103

Relating to an appropriation to Forward Wisconsin, inc., for advertising promotion of economic development.

Introduction and adoption of senate amendment 1:
Ayes, 3 -- Senators Czarneski, Adelman and Feingold;

Noes, 2 -- Senators Johnston and Hanaway.

Introduction and adoption of senate amendment 2:
Ayes, 4 -- Senators Czarneski, Adelman, Feingold and Johnston;

Noes, 1 -- Senator Hanaway.

Concurrence as amended:

Ayes, 4 -- Senators Czarneski, Adelman, Feingold and Hanaway;

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Noes, 1 -- Senator Johnston.

JOSEPH J. CZARNEZKI
Chair

The committee on Senate Organization reports and recommends:

Assembly Bill 1168

An act to authorize and direct expenditure of \$10,333.70 from moneys appropriated to the department of transportation for payment of a claim against the state made by Daniel Hannula.

Concurrence:

Ayes, 5 -- Senators Cullen, Risser, Norquist,
Harsdorf and Engeleiter;

Noes, 0 -- None.

Assembly Bill 1173

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin State Attorneys Association, Inc. for the 1983-85 biennium, covering employes in the professional legal collective bargaining unit, and authorizing an expenditure of funds.

Concurrence:

Ayes, 5 -- Senators Cullen, Risser, Norquist,
Harsdorf and Engeleiter;

Noes, 0 -- None.

TIMOTHY F. CULLEN
Chair

The committee on Tourism and Revenue reports and recommends:

Assembly Bill 804

Relating to tax levies to finance the functions of metropolitan sewerage districts.

Concurrence:

Ayes, 4 -- Senators Kincaid, Van Sistine, Helbach
and Chilsen;

Noes, 0 -- None.

LLOYD H. KINCAID
Chair

CALENDAR OF APRIL 6

Assembly Bill 571

Relating to reporting and investigating abuse or neglect of elder persons, making an appropriation and providing penalties.

Read.

The question was: Shall the Committee of Conference Report be adopted?

The ayes and noes were required and the vote was: ayes, 31; noes, 0; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Czarnezki, Davis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 31.

Noes -- None.

Absent or not voting -- Senator Ellis -- 1.

So the Committee of Conference Report was adopted.

Assembly Bill 706

Relating to the financial assistance program for septic tank replacement and rehabilitation.

Read.

Senator Norquist called the chair's attention to the Special Order of Business at 10:01 A.M.

SPECIAL ORDER

Assembly Bill 454

Relating to an adjustment to state aid to a school district upon redetermination of assessment of manufacturing property within the school district and making an appropriation.

Read a second time.

The question was: Adoption of senate amendment 1? Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 454

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 0; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Czarnezki, Davis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 31.

Noes -- None.

Absent or not voting -- Senator Ellis -- 1.

So the bill was concurred in as amended.

LEAVE OF ABSENCE

By request of Senator Harsdorf, with unanimous consent, Senator Ellis was granted a leave of absence until 11:00 A.M.

Senator Cullen called the chair's attention to the Special Order of Business at 10:02 A.M.

Assembly Bill 1084

Relating to variable rates for consumer credit transactions and other miscellaneous changes in the laws governing consumer credit transactions and providing penalties.

Read.

The question was: Adoption of senate amendment 1 to assembly amendment 1 to senate amendment 2?

The ayes and noes were demanded and the vote was: ayes, 29; noes, 2; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Czarnezki, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 29.

Noes -- Senators Davis and Opitz -- 2.

Absent or not voting -- Senator Ellis -- 1.

So the amendment was adopted.

The question was: Concurrence of assembly amendment 1 to senate amendment 2?

Concurred in.

By request of Senator Cullen, with unanimous consent, all action was ordered immediately messaged.

By request of Senator Kincaid, with unanimous consent, **Assembly Bill 1052** was withdrawn from the calendar and referred to committee on Tourism and Revenue.

By request of Senator Norquist, with unanimous consent, **Senate Bill 634** was placed at the foot of the calendar.

By request of Senator Roshell, with unanimous consent, the senate recessed until 11:44 A.M.

10:49 A.M.

RECESS

11:44 A.M.

The senate reconvened.

By request of Senator Norquist, with unanimous consent, **Assembly Bill 706** was made a Special Order of Business at 2:01 P.M.

By request of Senator Norquist, with unanimous consent, **Assembly Bill 1173** was considered at this time.

Assembly Bill 1173

An act to ratify the agreement negotiated between the state of Wisconsin and the Wisconsin State Attorneys Association, Inc. for the 1983-85 biennium, covering employes in the professional legal collective bargaining unit, and authorizing an expenditure of funds.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 1173

Read a third time.

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 32.

Noes -- None.

Absent or not voting -- None.

So the bill was concurred in.

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison, Wisconsin

April 5, 1984

To the Honorable, the Senate:

The following bills, originating in the senate, have been approved, signed and deposited in the office of the Secretary of State:

Senate Bill	Act No.	Date Approved
365-----	188-----	April 5, 1984
642-----	189-----	April 5, 1984

Respectfully,
ANTHONY S. EARL
Governor

State of Wisconsin
Office of the Governor

April 3, 1984

To the Honorable the Senate:

Enclosed is a copy of the Annual Report of the Governor's Council on Economic Affairs. I would appreciate it if you would note in the next Journal of the Senate that this report has been filed in your office.

Thank you.

Sincerely,
DONALD A. NICHOLS
Executive Secretary

MESSAGE FROM THE ASSEMBLY

By Joanne M. Duren, chief clerk.

Mr. President:

I am directed to inform you that the assembly has adopted and asks concurrence in:

Assembly Joint Resolution 108

Passed and asks concurrence in:

Assembly Bill 1171
Assembly Bill 869

Assembly Bill 990
Assembly Bill 1151

Concurred in:

Senate Bill 369
Senate Bill 414
Senate Bill 505
Senate Bill 604
Senate Bill 609
Senate Bill 647
Senate Bill 649
Senate Bill 504

Assembly Bill 595, senate substitute amendment 1
Senate Bill 561, senate amendment 1 to assembly substitute amendment 1
Senate Bill 281, senate amendment 1 to assembly amendment 2
Assembly Joint Resolution 96, senate amendment 1
Assembly Bill 150, senate amendment 1
Assembly Bill 407, senate amendment 1
Assembly Bill 467, senate amendment 1
Assembly Bill 512, senate amendment 1
Assembly Bill 695, senate substitute amendment 1
Assembly Bill 830, senate amendment 1
Assembly Bill 887, senate substitute amendment 1
Assembly Bill 1015, senate amendment 1
Assembly Bill 1034, senate amendment 1
Assembly Bill 170, senate amendment 1 to assembly substitute amendment 2

Amended and concurred in as amended:

Senate Bill 265, assembly substitute amendment 1
Senate Bill 384, assembly amendment 1
Senate Bill 592, assembly amendment 1 to assembly amendment 2, assembly amendments 1 and 2
Senate Bill 548, assembly amendment 3
Senate Bill 391, assembly amendments 1, 3, 4 and 5 to assembly substitute amendment 1
Senate Bill 600, assembly amendments 1 and 8 to assembly amendment 8 to assembly substitute amendment 3 and assembly amendments 4, 6, 8, 10, 11 and 12 to assembly substitute amendment 3

Recedes from its position on:

Assembly Bill 401, senate amendment 2

Adheres to its position on:

Assembly Bill 930, senate amendment 1

MESSAGE FROM THE ASSEMBLY
CONSIDERED

Assembly Bill 1171

Relating to veterans benefits for part-time study.

By Representatives Antaramian, Andrea and Bell.

Read first time and referred to committee on Labor, Business, Veterans Affairs and Insurance.

Assembly Bill 869

Relating to restitution paid by retail theft violators.

By Representatives Panzer, Stewart, D. Travis, Andrea, Rosenzweig, Radtke, Buettner, Prosser, Foti, Kasten, Schneiders, Young, Goodrich, Plewa, Holperin, Huelsman, Goetsch, Manske, Cowles, Donoghue, Zeuske, R. Travis and T. Thompson, co-sponsored by Senators Czarnecki, Ellis, Kleczka, Lee, Hanaway, Offner, McCallum, Lasee and Lorman.

Read first time and referred to committee on Judiciary and Consumer Affairs.

Assembly Bill 990

Relating to notice required prior to a termination of parental rights hearing.

By Representatives Rude, Chvala, Prosser, Schober, Panzer and Medinger, co-sponsored by Senators Engleiter, Kreul, Lasee, McCallum and Harsdorf.

Read first time and referred to committee on Judiciary and Consumer Affairs.

Assembly Bill 1151

Relating to membership of the joint committee on finance and salaries for legislative leadership positions.

By Representatives Munts, Loftus and Johnson, co-sponsored by Senator Cullen.

Read first time and referred to committee on Senate Organization.

Assembly Joint Resolution 108

Relating to returning 1983 Assembly Bill 1012 to the senate for further action.

By Representatives Johnson and T. Thompson.

Read.

Considered as privileged and taken up.

Concurred in.

MESSAGE FROM THE ASSEMBLY

By Joanne M. Duren, chief clerk.

Mr. President:

I am directed to inform you that the assembly has returned to the Senate pursuant to **Assembly Joint Resolution 108**:

Assembly Bill 1012

By request of Senator Cullen, with unanimous consent, the rules were suspended and **Assembly Bill 1012** was considered at this time.

By request of Senator Cullen, with unanimous consent, the vote by which **Assembly Bill 1012** was concurred in was reconsidered and **Assembly Bill 1012** was referred to a second reading.

Assembly Bill 1012

Relating to creating a mission and purpose statement for the vocational, technical and adult education system.

Read a second time.

Senate amendment 3 offered by Senator Risser.

The question was: Adoption of senate amendment 3?
Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 1012

Read a third time and concurred in as amended.

CALENDAR OF APRIL 6

Senate Bill 517

Relating to including as an authorized emergency vehicle privately owned vehicles used by volunteer paramedics or ambulance attendants.

Read.

The question was: Concurrence of assembly amendment 2?

By request of Senator Cullen, with unanimous consent, **Senate Bill 517** was placed after **Assembly Joint Resolution 102**.

Senate Bill 580

Relating to repetitive petitions for reassessment of property.

Read.

The question was: Concurrence of assembly amendment 1?

Concurred in.

The question was: Concurrence of assembly amendment 2?

Concurred in.

Assembly Joint Resolution 102

Requesting the legislative council to study the municipal employment mediation-arbitration law.

Read.

Senate amendments 1 and 2 offered by Senator Hanaway.

The question was: Adoption of senate amendment 1?

Senator Helbach moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?
The motion prevailed.

The question was: Adoption of senate amendment 2?

Senator Helbach moved rejection of senate amendment 2.

The question was: Rejection of senate amendment 2?
The motion prevailed.

The question was: Shall **Assembly Joint Resolution 102** be concurred in?

Concurred in.

RULING OF THE CHAIR

On Wednesday, April 4, 1984, the senator from the 15th, Senator Cullen, raised the point of order that senate substitute amendment 2 to **Senate Bill 256** was not germane.

The senator from the 15th raised the point that senate substitute amendment 2 was identical in effect to **Senate Bill 114** and senate substitute amendment 1.

Upon reading of the substitute, the entire first page and 18 lines of the 25 lines of material on the 2nd page are identical to **Senate Bill 114** and senate substitute amendment 1. Lines 19 and 20 on page 2 set out a new prohibitive practice not identified in senate substitute amendment 1 or **Senate Bill 114**; however, the practice is covered under current law. Lines 23 thru 25 on page 2 further define lines 10 and 11 on page 2.

It appears to the chair that the senator from the 29th, Senator Chilsen, is attempting to bring forth the same language as **Senate Bill 114** and senate substitute amendment 1, by adding some new material to the amendment that is already current law. The chair has serious questions about this practice; however, when the question of germaneness is close, *Mason's Manual Sec. 401(5)* states in part: "The Presiding officer should never rule an amendment out of order unless he is certain that it is."

Therefore, the chair is going to rule the point of order not well taken and the amendment is germane.

Senate Bill 256

Relating to a revision of the obscenity law and the penalty for its violation.

Read a second time.

Senate amendment 1 to senate substitute amendment 1 offered by Senator George.

The question was: Adoption of senate amendment 1 to senate substitute amendment 1?

Senator Feingold raised the point of order that senate amendment 1 to senate substitute amendment 1 was not germane.

The chair took the point of order under advisement.

By request of Senator Cullen, with unanimous consent, all action was ordered immediately messaged.

By request of Senator Cullen, with unanimous consent, the senate recessed until 2:00 P.M.

12:08 P.M.

RECESS

2:00 P.M.

The senate reconvened.

By request of the president of the senate, with unanimous consent, the Senate returned to the eighth order of business.

MESSAGE FROM THE ASSEMBLY

By Joanne M. Duren, chief clerk.

Mr. President:

I am directed to inform you that the assembly has passed and asks concurrence in:

Assembly Bill 1174

Concurred in:

Assembly Bill 115, senate substitute amendment 1
Assembly Bill 742, senate substitute amendment 1
Assembly Bill 831, senate amendment 2
Assembly Bill 922, senate amendment 1
Assembly Bill 971, senate amendment 1
Assembly Bill 1016, senate amendment 1
Assembly Bill 1056, senate amendment 1

Amended and concurred in as amended:

Senate Bill 244, assembly amendments 1, 2 and 3 to assembly substitute amendment 1 and assembly substitute amendment 1.

MESSAGE FROM THE ASSEMBLY
CONSIDERED

Assembly Bill 1174

Relating to the financial assistance program for septic tank replacement and rehabilitation.

By Representatives Gilson and Neubauer, co-sponsored by Senator Norquist.

Read first time and referred to committee on Energy and Environmental Resources.

Senator Adelman called the chair's attention to the Special Order of Business at 2:01 P.M.

Assembly Bill 706

Relating to the financial assistance program for septic tank replacement and rehabilitation.

Read.

The question was: Adoption of the Committee of Conference Report?

Senator Lee raised the point of order that the Committee of Conference Report was not germane.

The chair ruled the point of order not well taken.

The question was: Adoption of the Committee of Conference Report?

Senator Norquist moved the rules be suspended and **Assembly Bill 1174** be withdrawn from committee on Energy and Environmental Resources and be considered at this time.

The question was: Shall **Assembly Bill 1174** be withdrawn from committee on Energy and Environmental Resources and be considered at this time?

The ayes and noes were required and the vote was: ayes, 7; noes, 25; absent or not voting, 0; as follows:

Ayes -- Senators Cullen, Czarnecki, George, Kleczka, Lee, Norquist and Risser -- 7.

Noes -- Senators Adelman, Chilsen, Davis, Ellis, Engeleiter, Feingold, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kreul, Lasee, Lorge, Lorman, McCallum, Maurer, Moen, Opitz, Otte, Roshell, Strohl, Theno, Thompson and Van Sistine -- 25.

Absent or not voting -- None.

Less than two-thirds having voted in the affirmative, the motion did not prevail.

The question was: Adoption of the Committee of Conference Report?

The ayes and noes were required and the vote was: ayes, 27; noes, 5; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Davis, Ellis, Engeleiter, Feingold, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lorge, Lorman, McCallum, Maurer, Moen, Opitz, Otte, Roshell, Strohl, Theno, Thompson and Van Sistine -- 27.

Noes -- Senators Czarnecki, George, Lee, Norquist and Risser -- 5.

Absent or not voting -- None.

So the Committee of Conference Report was adopted.

By request of Senator Cullen, with unanimous consent, all action was ordered immediately messaged.

Senate Bill 517

Relating to including as an authorized emergency vehicle privately owned vehicles used by volunteer paramedics or ambulance attendants.

Read.

The question was: Concurrence of assembly substitute amendment 1?

Concurred in.

By request of Senator Kleczka, with unanimous consent, the journal showed that he would have voted "aye" for adoption of the Committee of Conference Report on **Assembly Bill 706**.

Assembly Bill 24

Relating to escrow accounts for the benefit of victims of crimes.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 24

Read a third time and concurred in as amended.

Assembly Bill 174

Relating to petroleum product sales.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 174

Read a third time and concurred in.

Assembly Bill 254

Relating to restrictions on earnings of retired employes under the Wisconsin retirement system.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 254

Read a third time and concurred in.

Assembly Bill 394

Relating to required reports on money paid to individuals for services.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 394

Read a third time and concurred in.

Assembly Bill 547

Relating to including as an authorized emergency vehicle privately owned vehicles used by paramedics or ambulance attendants.

Read a second time.

By request of Senator Cullen, with unanimous consent, **Assembly Bill 547** was referred to committee on Senate Organization.

Assembly Bill 581

Relating to possession of firearms by persons found not guilty of or not responsible for felonies by reason of insanity or mental disease, defect or illness.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 581

Read a third time and concurred in.

Assembly Bill 657

Relating to criminal damage to property in cemeteries and seizure and forfeiture of vehicles.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 657

Read a third time and concurred in as amended.

Assembly Bill 661

Relating to seized firearms and ammunition.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 661

Read a third time and concurred in.

Assembly Bill 804

Relating to tax levies to finance the functions of metropolitan sewerage districts.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 804

Read a third time and concurred in.

Assembly Bill 843

Relating to operating a motor vehicle while under the influence of an intoxicant.

Read a second time.

By request of Senator George, with unanimous consent, **Assembly Bill 843** was placed at the foot of the calendar.

Assembly Bill 860

Relating to notice to victim regarding an offender's pardon application.

Read a second time.

The question was: Adoption of senate amendment 1?

Senator Otte moved rejection of senate amendment 1?

The question was: Rejection of senate amendment 1? The motion prevailed.

Ordered to a third reading.

Senator Cullen asked unanimous consent that the rules be suspended and the bill be considered for final action at this time.

Senator Chilsen objected.

Senator Cullen asked unanimous consent for reconsideration of the vote by which **Assembly Bill 394** was concurred in and the motion be laid on the table.

Senator Harsdorf objected.

Senator Cullen moved reconsideration of the vote by which **Assembly Bill 394** was concurred in and the motion be laid on the table.

The question was: Shall the motion for reconsideration of the vote by which **Assembly Bill 394** was concurred in be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 19; noes, 13; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Cullen, Czarnezki, Feingold, George, Helbach, Kincaid, Kleczka, Lee, Lorge, Maurer, Moen, Norquist, Otte, Risser, Roshell, Strohl, Thompson and Van Sistine -- 19.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Johnston, Kreul, Lasee, Lorman, McCallum, Opitz and Theno -- 13.

Absent or not voting -- None.

So the motion prevailed.

Assembly Bill 880

Relating to special and personalized license plates for automobiles and station wagons owned by members of the Wisconsin national guard.

Read a second time.

Ordered to a third reading.

Senator Cullen asked unanimous consent that the rules be suspended and the bill be considered for final action at this time.

Senator Chilsen objected.

Senator Cullen asked unanimous consent for reconsideration of the vote by which **Assembly Bill 581** was concurred in and the motion be laid on the table.

Senator Harsdorf objected.

Senator Cullen moved reconsideration of the vote by which **Assembly Bill 581** was concurred in and the motion be laid on the table.

The question was: Shall the motion for reconsideration of the vote by which **Assembly Bill 581** was concurred be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 19; noes, 13; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Cullen, Czarnezki, Feingold, George, Helbach, Kincaid, Kleczka, Lee, Lorge, Maurer, Moen, Norquist, Otte, Risser, Roshell, Strohl, Thompson and Van Sistine -- 19.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Johnston, Kreul, Lasee, Lorman, McCallum, Opitz and Theno -- 13.

Absent or not voting -- None.

So the motion prevailed.

Assembly Bill 896

Relating to alcohol beverage license revocations, suspensions, nonrenewals and expiration dates.

Read a second time.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 896

Read a third time and concurred in.

Assembly Bill 970

Relating to correcting errors in the assessment of property and to crediting interest on property tax refunds against the taxpayer's next tax bill.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 970

Read a third time and concurred in.

Assembly Bill 986

Relating to counties which have Indian reservations within their boundaries and making appropriations.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 986

Read a third time.

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 32.

Noes -- None.

Absent or not voting -- None.

So the bill was concurred in.

Assembly Bill 993

Relating to reinstating the operating privilege of a habitual traffic offender.

Read a second time.

The question was: Adoption of senate amendment 1? Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 993

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 26; noes, 6; absent or not voting, 0; as follows:

Ayes -- Senators Chilsen, Cullen, Czarnezki, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf,

Helbach, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lorge, Lorman, Maurer, Moen, Opitz, Otte, Risser, Roshell, Strohl, Thompson and Van Sistine -- 26.

Noes -- Senators Adelman, Davis, Lee, McCallum, Norquist and Theno -- 6.

Absent or not voting -- None.

So the bill was concurred in as amended.

Assembly Bill 994

Relating to issuance of a limited chauffeur's license after suspension.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 994

Read a third time and concurred in.

Assembly Bill 1005

Relating to court record keeping requirements.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 1005

Read a third time and concurred in.

Assembly Bill 1006

Relating to entries on a judgment docket.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 1006

Read a third time and concurred in.

Assembly Bill 1007

Relating to reporting, recording and depositing requirements in traffic regulation actions.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 1007

Read a third time and concurred in.

Assembly Bill 1103

Relating to an appropriation to Forward Wisconsin, inc., for advertising promotion of economic development.

Read a second time.

The question was: Adoption of senate amendment 1?

Senator Strohl moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 14; absent or not voting, 0; as follows:

Ayes -- Senators Chilsen, Ellis, George, Hanaway, Helbach, Johnston, Kincaid, Kleczka, Kreul, Lorge, Lorman, Maurer, Moen, Otte, Roshell, Strohl, Theno and Van Sistine -- 18.

Noes -- Senators Adelman, Cullen, Czarnezki, Davis, Engeleiter, Feingold, Harsdorf, Lasee, Lee, McCallum, Norquist, Opitz, Risser and Thompson -- 14.

Absent or not voting -- None.

So the motion prevailed.

The question was: Adoption of senate amendment 2?

Senator Strohl moved rejection of senate amendment 2.

The question was: Rejection of senate amendment 2?

The ayes and noes were demanded and the vote was: ayes, 22; noes, 10; absent or not voting, 0; as follows:

Ayes -- Senators Chilsen, Cullen, Ellis, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lorman, McCallum, Maurer, Moen, Otte, Roshell, Strohl, Theno, Thompson and Van Sistine -- 22.

Noes -- Senators Adelman, Czarnezki, Davis, Engeleiter, Feingold, Lee, Lorge, Norquist, Opitz and Risser -- 10.

Absent or not voting -- None.

So the motion prevailed.

Senate amendment 3 offered by Senator Opitz.

The question was: Adoption of senate amendment 3?

Senator Strohl moved rejection of senate amendment 3.

The question was: Rejection of senate amendment 3?

The ayes and noes were demanded and the vote was: ayes, 20; noes, 12; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Cullen, Feingold, George, Hanaway, Helbach, Johnston, Kincaid, Kleczka, Kreul, Lorman, Maurer, Moen, Norquist, Otte, Risser, Roshell, Strohl, Thompson and Van Sistine -- 20.

Noes -- Senators Chilsen, Czarnezki, Davis, Ellis, Engeleiter, Harsdorf, Lasee, Lee, Lorge, McCallum, Opitz and Theno -- 12.

Absent or not voting -- None.

So the motion prevailed.

Ordered to a third reading.

Senator Cullen asked unanimous consent that the rules be suspended and the bill be considered for final action at this time.

Senator Opitz objected.

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By request of Senator Cullen, with unanimous consent, reconsideration of the vote by which **Assembly Bill 657** was concurred in was laid on the table.

By request of Senator George, with unanimous consent, **Assembly Bill 843** was referred to committee on Judiciary and Consumer Affairs.

Assembly Bill 1107

Relating to revising penalties for illegally taking or possessing lake sturgeon.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 1107

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 30; noes, 1; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Czarnetzki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 30.

Noes -- Senator Opitz -- 1.

Absent or not voting -- Senator Kleczka -- 1.

So the bill was concurred in.

By request of Senator Cullen, with unanimous consent, the rules were suspended and the supplemental calendar of April 6 and the Special Order of Business at 3:00 P.M. on the supplemental calendar of April 6 was considered at this time.

Senate Bill 600

Relating to establishing high school graduation standards, granting rule-making authority and making an appropriation.

Read a second time.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate Bill 600, assembly amendment 12 to assembly substitute amendment 3

1. Page 1, line 4: delete "line 14: after that line insert:" and substitute "line 11: before that line, before the material inserted by assembly amendment 10, insert:".

The question was: Concurrence of assembly substitute amendment 3?

Concurred in.

By request of Senator Cullen, with unanimous consent, all action was ordered immediately messaged.

By request of Senator Cullen, with unanimous consent, the Senate returned to the fourth order of business.

COMMITTEE REPORTS

The committee on Senate Organization reports and recommends:

Assembly Bill 1151

Relating to membership of the joint committee on finance and salaries for legislative leadership positions.

Concurrence:

Ayes, 3 -- Senators Cullen, Risser and Norquist;

Noes, 2 -- Senators Harsdorf and Engeleiter.

TIMOTHY F. CULLEN
Chair

Assembly Bill 1151

Relating to membership of the joint committee on finance and salaries for legislative leadership positions.

Read a second time.

Senate amendment 1 offered by Senator Cullen.

By request of Senator McCallum, with unanimous consent, the senate recessed until 3:55 P.M.

3:45 P.M.

RECESS

3:55 P.M.

The senate reconvened.

Senator Harsdorf moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?
The motion did not prevail.

The question was: Adoption of senate amendment 1?
Adopted.

Senate amendment 2 offered by Senator Harsdorf.

The question was: Adoption of senate amendment 2?

The ayes and noes were demanded and the vote was: ayes, 13; noes, 18; absent or not voting, 1; as follows:

Ayes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Johnston, Kreul, Lasee, Lorge, McCallum, Opitz and Theno -- 13.

Noes -- Senators Adelman, Cullen, Czarnetzki, Feingold, George, Helbach, Kincaid, Kleczka, Lee, Maurer, Moen, Norquist, Otte, Risser, Roshell, Strohl, Thompson and Van Sistine -- 18.

Absent or not voting -- Senator Lorman -- 1.

So the amendment failed to be adopted.

Senate amendment 3 offered by Senator Harsdorf.

The question was: Adoption of senate amendment 3?

The ayes and noes were demanded and the vote was: ayes, 14; noes, 17; absent or not voting, 1; as follows:

Ayes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Johnston, Kleczka, Kreul, Lasee, Lorge, Lorman, McCallum and Opitz -- 14.

Noes -- Senators Adelman, Cullen, Czarnezki, Feingold, George, Helbach, Kincaid, Lee, Maurer, Moen, Norquist, Otte, Risser, Roshell, Strohl, Thompson and Van Sistine -- 17.

Absent or not voting -- Senator Theno -- 1.

So the amendment failed to be adopted.

The question was: Shall the bill be ordered to a third reading?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 15; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Cullen, Czarnezki, Feingold, George, Helbach, Kleczka, Lee, Maurer, Moen, Norquist, Otte, Risser, Roshell, Strohl, Thompson and Van Sistine -- 17.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Johnston, Kincaid, Kreul, Lasee, Lorge, Lorman, McCallum, Opitz and Theno -- 15.

Absent or not voting -- None.

So the bill was ordered to a third reading.

Senator Cullen asked unanimous consent that the rules be suspended and the bill be considered for final action at this time.

Senator McCallum objected.

Senator Chilsen asked unanimous consent that **Senate Bill 114** be withdrawn from committee on Senate Organization and be considered at this time.

Senator Cullen objected.

Senator Chilsen moved that **Senate Bill 114** be withdrawn from committee on Senate Organization and be considered at this time.

The chair ruled the motion improper at this time.

Senator Chilsen raised the point of order that suspension of the rules was proper at any time.

The chair ruled the point of order not well taken.

Senator Chilsen appealed the ruling of the chair.

The question was: Shall the decision of the chair stand as the judgment of the senate?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 14; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Cullen, Czarnezki, Feingold, George, Helbach, Kincaid, Kleczka, Lee, Maurer, Moen, Norquist, Otte, Risser, Roshell, Thompson and Van Sistine -- 17.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Johnston, Kreul, Lasee, Lorge, Lorman, McCallum, Opitz and Theno -- 14.

Absent or not voting -- Senator Strohl -- 1.

So the decision of the chair shall stand as the judgment of the senate.

Senator Cullen moved that the rules be suspended and **Assembly Bill 1103** be considered for final action at this time.

The question was: Shall the rules be suspended and **Assembly Bill 1103** be considered for final action at this time?

The ayes and noes were required and the vote was: ayes, 27; noes, 5; absent or not voting, 0; as follows:

Ayes -- Senators Chilsen, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Helbach, Johnston, Kincaid, Kleczka, Kreul, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 27.

Noes -- Senators Adelman, Harsdorf, Lasee, Lee and Opitz -- 5.

Absent or not voting -- None.

More than two-thirds having voted in the affirmative, the motion prevailed.

Assembly Bill 1103

Relating to an appropriation to Forward Wisconsin, inc., for advertising promotion of economic development.

Read a third time.

The question was: Shall **Assembly Bill 1103** be concurred in?

The ayes and noes were required and the vote was: ayes, 25; noes, 7; absent or not voting, 0; as follows:

Ayes -- Senators Chilsen, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Helbach, Johnston, Kincaid, Kleczka, Kreul, Lorge, Lorman, Maurer, Moen, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 25.

Noes -- Senators Adelman, Harsdorf, Lasee, Lee, McCallum, Norquist and Opitz -- 7.

Absent or not voting -- None.

So the bill was concurred in.

Assembly Bill 776

Relating to indemnities paid for animals condemned and slaughtered under the tuberculosis control program.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 776

Read a third time and concurred in.

Senate Bill 548

Relating to construction site erosion control and storm water management zoning and the designation of the Milwaukee river watershed as a priority area under the nonpoint source water pollution abatement grant

program, granting rule-making authority and making an appropriation.

Read.

The question was: Concurrence of assembly amendment 3?

Concurred in.

By request of Senator Cullen, with unanimous consent, the record for reconsideration of the vote by which **Assembly Bills 394, 581 and 657** were concurred in was expunged.

By request of Senator Cullen, with unanimous consent, the rules were suspended and **Assembly Bills 860 and 880** were considered at this time.

Assembly Bill 860

Relating to notice to victim regarding an offender's pardon application.

Read a third time.

The question was: Shall **Assembly Bill 860** be concurred in?

Concurred in.

Assembly Bill 880

Relating to special and personalized license plates for automobiles and station wagons owned by members of the Wisconsin national guard.

Read a third time.

The question was: Shall **Assembly Bill 880** be concurred in?

Concurred in.

Senator Cullen asked unanimous consent that all action be ordered immediately messaged.

Senator Opitz objected.

Senate Bill 391

Relating to revising laws relating to dogs.

Read.

The question was: Concurrence of assembly substitute amendment 1?

Concurred in.

Senate Bill 265

Relating to authorizing the Milwaukee board of school directors to retain a real estate agent.

Read.

The question was: Concurrence of assembly substitute amendment 1?

Concurred in.

By request of Senator Cullen, with unanimous consent, the rules were suspended and **Assembly Bill 1168** was considered for action at this time.

Assembly Bill 1168

An act to authorize and direct expenditure of \$10,333.70 from moneys appropriated to the department of transportation for payment of a claim against the state made by Daniel Hannula.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 1168

Read a third time.

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 32.

Noes -- None.

Absent or not voting -- None.

So the bill was concurred in.

By request of Senator Cullen, with unanimous consent, the rules were suspended and **Assembly Bill 1116** was considered at this time.

Assembly Bill 1116

Relating to vehicles transporting abrasives for highway winter maintenance upon frozen highways.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 1116

Read a third time and concurred in.

By request of Senator Cullen, with unanimous consent, the rules were suspended and the supplemental calendar of April 6 was considered at this time.

Senate Bill 384

Relating to vacant property in tax incremental districts.

Read.

The question was: Concurrence of assembly amendment 1?

Concurred in.

Assembly Bill 930

Relating to membership of the council on unemployment compensation, a procedure for proposing changes in unemployment compensation laws, a statement of unemployment compensation financial outlook and making an appropriation.

Read.

The question was: Shall the senate adhere to its position on senate amendment 1?

By request of Senator Cullen, with unanimous consent, the senate receded from its position on senate amendment 1.

Senate Bill 244

Relating to the procedure for determining and recording paternity, changing terminology concerning 'legitimate' and 'out of wedlock' children, and making miscellaneous changes relating to parentage.

Read.

The question was: Concurrence of assembly substitute amendment 1?

Concurred in.

Senate Bill 592

Relating to penalties for persons who violate the alcohol beverage laws, to dealings between brewers, wholesalers and retailers, and to technical and minor policy changes in regard to alcohol beverages, excise taxes, special fuel taxes and rates for the liquor tax and providing a penalty.

Read.

The question was: Concurrence of assembly amendment 2?

By request of Senator Van Sistine, with unanimous consent, **Senate Bill 592** was laid on the table.

By request of Senator Cullen, with unanimous consent, the rules were suspended and **Assembly Bill 1124** was considered at this time.

Assembly Bill 1124

Relating to repealing a provision enabling a reduction in the amount of aid paid to recipients of aid to families with dependent children for shared shelter costs.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 1124

Read a third time.

The ayes and noes were required and the vote was: ayes, 25; noes, 7; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Czarnecki, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kleczka, Lee, Lorge, Lorman, Maurer, Moen, Norquist, Otte, Risser, Roshell, Strohl, Thompson and Van Sistine -- 25.

Noes -- Senators Davis, Ellis, Kreul, Lasee, McCallum, Opitz and Theno -- 7.

Absent or not voting -- None.

So the bill was concurred in.

By request of Senator Cullen, with unanimous consent, the rules were suspended and **Assembly Bill 1130** was considered at this time.

Assembly Bill 1130

Relating to miscellaneous changes affecting farmland preservation regulation.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 1130

Read a third time.

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 32.

Noes -- None.

Absent or not voting -- None.

So the bill was concurred in.

By request of Senator Cullen, with unanimous consent, all action was ordered immediately messaged.

By request of Senator Cullen, with unanimous consent, the Senate returned to the eighth order of business.

MESSAGE FROM THE ASSEMBLY

By Joanne M. Duren, chief clerk.

Mr. President:

I am directed to inform you that the assembly has adopted and asks concurrence in:

Senate Bill 243, Committee of Conference Report

Senate Bill 243

Relating to various changes in the statutes pertaining to bingo and raffle control and imposing the state sales tax on raffle tickets.

Read.

The question was: Shall the Committee of Conference Report be adopted?

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 0; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Opitz, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 32.

Noes -- None.

Absent or not voting -- None.

So the Committee of Conference Report was adopted.

By request of Senator Cullen, with unanimous consent, all action was ordered immediately messaged.

By request of Senator Chilsen, with unanimous consent, the senate adjourned in honor of the newly

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elected Supervisor from the first district of Ashland County, the best politician in the family, Sue Theno.

By request of Senator Cullen, with unanimous consent, the senate adjourned in honor of the new Congressman from the 4th district, Gerald Kleczka.

Upon motion of Senator Cullen the senate adjourned pursuant to **Senate Joint Resolution 2.**

4:48 P.M.